

OFFICE OF MANAGEMENT AND BUDGET

ROUTE SLIP

TO

[Redacted]

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For your information ☐

See remarks below ☐

FROM Nanette Blandin

DATE 3-23-78

REMARKS

Jim-

As we discussed, here is a copy of the Civil Service Commission's draft bill on physicians bonuses. Our preference is for CIA to be specifically included in the legislation. Since I will be out of town for the next three weeks, could you negotiate language changes with Jim Stimpson (395-3736) or Frank White (395-3910) in OMB. I understand that Rosemary Storm (254-8960) at the Commission is a good contact point should you desire clarification on certain aspects of this draft.

Suggested Amendments to H.R. 4620

(New material underlined; deleted material in brackets and scored through)

A BILL

To amend title 5, United States Code, to provide special allowances to certain physicians employed by the United States in order to enhance the recruitment and retention of such physicians.

1 Be it enacted by the Senate and House of Representatives of the
2 United States of America in Congress assembled, That this Act may be
3 cited as the "Federal Physicians Comparability Allowance Act of 1976".

4 Sec. 2. (a) Subchapter IV of chapter 59 of title 5, United States
5 Code, relating to allowances, is amended by adding at the end thereof
6 the following new section:

7 "§5948. Physicians comparability allowances

8 "(a) [~~A Government physician, in addition to pay otherwise due him,~~
9 ~~is entitled to~~] Notwithstanding any other provision of law, and in order
10 to recruit and retain highly qualified Government physicians, the head
11 of an agency may pay a Government physician, in addition to pay otherwise
12 due that physician, an allowance as authorized by this section, subject
13 to such regulations, criteria, and conditions as the President or his
14 designee may prescribe under this section. Such an allowance shall
15 consist of--

16 "(1) a professional allowance--

17 "(A) at a [~~per-annum~~] rate [~~of~~] to be determined by the agency
18 head, but not to exceed \$1,200 a year if [~~he~~] the Government
19 physician has served as a Government physician for twenty-four
20 months or less, or

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"(B) at a [per-annum] rate [of] to be determined by
the agency head, but not to exceed \$4,200 a year if [he] the
Government physician has served as a Government physician for
more than twenty-four months, plus

"(2) an allowance under any service agreement made pursuant
to subsection (b) of this section.

"(b)(1) ~~[Notwithstanding any other provision of law, in order to~~
~~recruit and retain highly qualified Government physicians in an Executive~~
~~agency, the]~~ The head of [such] an agency, subject to the provisions of
this section and such regulations ~~[which the Civil Service Commission]~~ as
the President or his designee may prescribe, may enter into a service
agreement with a Government physician which provides (A) for such physician
to complete a specified number of years of service in such agency in
return for (B) an allowance in an amount to be determined by the agency
head and specified in the agreement, but not more than \$5,800 per annum,
~~[upon execution, and]~~ for the duration of [,] such agreement.

"(2) An allowance may not be paid pursuant to this subsection
to any physician who--

"(A) is employed on less than a half-time or intermittent
basis,

"(B) occupies an internship or residency training position,
[or]

"(C) is a reemployed annuitant[.], or

"(D) is fulfilling a scholarship obligation.

~~["(3) The head of each Executive agency, pursuant to such regulations,~~
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1 may-determine-categories-of-positions-applicable-to-physicians-in-such
2 agency-as-to-which-there-is-no-significant-recruitment-and-retention
3 problem.--Physicians-serving-in-such-positions-shall-not-be-eligible-for
4 an-allowance-pursuant-to-this-subsection.

5 "[~~(4)~~] (3) Any agreement entered into by a physician under this sub-
6 section shall be with respect to a period of ~~one~~ year of service in
7 the [~~Executive~~] agency involved unless the physician requests an agreement
8 for a longer period of service [~~not-to-exceed-four-years.~~] No agreement
9 shall be entered into under this subsection later than September 30, 1979,
10 nor shall any agreement cover a period of service extending past September 30,
11 1981.

12 "[~~(5)~~] (4) Any such agreement shall provide that the physician,
13 in the event that such physician voluntarily, ~~or~~ because of misconduct,
14 fails to complete at least one year of service pursuant to such agreement,
15 shall be required to refund the total amount received under this section,
16 unless the head of such agency, pursuant to [~~the~~] such regulations as
17 may be prescribed under this subsection by the [Civil-Service-Commission]
18 President or his designee, determines that such failure is necessitated
19 by circumstances beyond the control of the physician.

20 "[~~(6)~~] (5) Any such agreement shall specify the terms under which
21 the head of the [~~executive~~] agency and the physician may elect to terminate
22 such agreement.

23 "(c) The head of an agency, pursuant to such regulations, criteria,
24 and conditions as the President or his designee may prescribe, shall
25 determine categories of positions applicable to physicians in such agency

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1 as to which there is a significant recruitment and retention problem.
2 Only those physicians serving in such positions shall be eligible for
3 an allowance pursuant to this section, and the amount of all such allow-
4 ances shall be determined by the agency head, subject to such regulations,
5 criteria, and conditions as the President or his designee may prescribe,
6 and shall be the minimum amount necessary to deal with the recruitment
7 and retention problem for each such category of physicians.

8 "[~~e~~] (d) For the purpose of this section--

9 "(1) 'Government physician' means any individual employed
10 as a physician who is paid under--

11 "(A) section 5332 of this title, relating to the
12 General Schedule;

13 [~~"(B)--subchapter IV of chapter 14 of title 22, relating~~
14 ~~to the Foreign Service; or~~

15 [~~"(C)--pay scales or rate systems established for physicians~~
16 ~~employed by--~~

17 [~~"(i)--the Postal Service or the Postal Rate Commission;~~

18 [~~"(ii)--the Canal Zone Government or the Panama Canal~~

19 ~~Company;~~

20 [~~"(iii)--the Energy Research and Development Admin-~~
21 ~~istration; or~~

22 [~~"(iv)--the Tennessee Valley Authority;~~]

23 "(B) section 5361 of this title, or similar statutory
24 authority, relating to administratively determined pay for cer-
25 tain specially qualified scientific or professional personnel;

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1 "(C) section 831b of title 16, relating to the Tennessee
2 Valley Authority;

3 "(D) subchapter IV of chapter 14 of title 22, relating
4 to the Foreign Service; or

5 "(E) section 121 of title 2, Canal Zone Code, relating
6 to the Canal Zone Government and the Panama Canal Company; and

7 "(2) '[~~executive~~] agency' [~~includes the Postal Service~~
8 ~~and Postal Rate Commission~~] means an Executive agency, as
9 defined in section 105 of this title, and the District of
10 Columbia government.

11 "~~{d}~~" (e)(1) Any allowance paid under this section shall not
12 be considered as basic pay for the purposes of subchapter VI and
13 section 5595 of chapter 55, chapter 81, 83, or 87 of this title, or
14 other benefits related to basic pay.

15 "(2) Any allowance under this section for a Government physician
16 shall be paid in the same manner and at the same time as his basic pay
17 is paid."

18 (b) The analysis for chapter 59 of such title is amended by
19 adding at the end thereof the following:

"5948. Physicians comparability allowances."

20 Sec. 3. (a) The amendments made by this Act shall [~~apply with~~
21 ~~respect to pay periods beginning more than thirty~~] become effective on
22 such date as the President or his designee may specify, but not less
23 than sixty days after the date of the enactment of this Act.

24 (b) The amendments made by this Act are repealed, unless speci-
25 fically extended by Act of Congress, effective on September 30, 1981.